

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID TERRELL CUNNINGHAM

Plaintiff,

v.

ALAMEDA COUNTY SHERIFF'S
DEPARTMENT, et. al.,

Defendants.

Case No. 20-cv-2191-EJD (PR)

ORDER OF DISMISSAL

Plaintiff, a county inmate, filed a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983 on March 31, 2020.¹ Dkt. No. 1. Along with the complaint, Plaintiff filed a motion to proceed *in forma pauperis* (“IFP”). Dkt. No. 2. On the same day, the Clerk sent a notice advising Plaintiff that his IFP application was deficient because he failed to attach a Certificate of Funds in Prisoner’s Account completed and signed by an authorized officer at his correctional facility and a copy of his prisoner trust account statement showing six months of transactions. Dkt. No. 3. Plaintiff was directed to file the necessary documents to support his IFP application within twenty-eight days of the notice, i.e., no later than May 8, 2020. *Id.* Plaintiff failed to file the proper documentation or filing fee in the time

¹ This case was reassigned to this Court on June 12, 2020. Dkt Nos. 7, 8.

1 provided, so on May 7, 2020, the Court *sua sponte* granted an extension of time to file a
2 complete IFP application or pay the filing fee no later than twenty-eight days from the
3 filing date, i.e., by June 4, 2020. Dkt. No. 6.

4 The deadline has passed, and Plaintiff has not filed the necessary documents to
5 complete his IFP application or pay the filing fee. Accordingly, Plaintiff's case is
6 **DISMISSED** without prejudice for failure to pay the filing fee.

7 The Clerk shall terminate all pending motions and close the file.

8 **IT IS SO ORDERED.**

9 Dated: 6/23/2020



EDWARD J. DAVILA
United States District Judge

United States District Court
Northern District of California